



CITY OF SAN ANTONIO

P.O. Box 839966
San Antonio, Texas 78283-3966

ADDENDUM I

SUBJECT: Formal Invitation Bid (IFB) For **FY 2012 & 2014 Task Order Contract**
for Storm Water Revenue Bond Projects –Package C Dated November 13, 2011

DATE: December 1, 2011

Addendum No. 1 includes the following:

1. Pre bid meeting minutes
 - a. Quick introduction of attendees
 - b. Jeremy Doege and CoSA Project Manager Carlos Barajas described the proposed scope of work
 - c. Engineers estimate is \$7,500,000
 - d. Locations will vary throughout the City
 - i. Some project locations have been determined and will have plans
 - e. Each project location will be issued as a separate Task Order.
 - f. Project Scope includes:
 - i. Contract geared towards drainage improvements
 - ii. Storm sewer pipe/box and curb inlet installation
 - iii. Channel upgrades
 1. Concrete riprap/earthen
 - iv. Culvert improvements
 - v. Detention ponds & outfall reconstruction
 - vi. Project may be stand alone or part of another project
 - vii. Paving items included as part of contract
 - viii. Curb, sidewalk, retaining walls & driveways
 - g. Miscellaneous work to include:
 - i. Tree removal and protection
 - ii. Gate/fence adjustments
 - iii. Railing upgrades
 - iv. Sign/mailbox relocations
 - v. Topsoil/sodding/hydromulching
 - h. No direct payment for the following items: Mobilization, Insurance & Bond, Preparing Right-of-Way, Barricades, Signs and Traffic Handling, and Temporary Erosion, SWPPP
 - i. Police officer support may be required as part of the traffic control support for some locations
 - ii. See project description for additional mobilization clarification
 - i. Contractor shall pay special attention to asphalt saw cut details for curb construction
 - j. Contractor shall follow MUTCD standards for traffic control

- k. COSA Traffic Engineering will determine final working restrictions
 - i. Some projects may have time restraints due to school zones (no additional compensation)
 - ii. City of San Antonio Inspectors will perform inspection services for proposed projects
- l. The quantities and the entire bid amount for this contract are not guaranteed
- m. Contractor must pull COSA ROW permits for each project location (fees will be waived)
- n. Contract duration is for 730 calendar days
- o. Bids due Tuesday, December 6, 2011 @ 2:00 p.m.
- p. Contractors responsible for obtaining addendum(s) off of COSA website

2. SBEDA Guidelines

- a. Goal Setting Committee has set a **10%** SBE subcontracting goal
- b. Prime contractors are required to complete and submit a subcontractor/supplier utilization plan form with their bid response
- c. Contractors can have contact with SBEDA throughout the bid period
- d. SBEDA staff can assist contractors by expediting certification through the South Central Texas Regional Certification Agency
- e. A contractor may request, for good cause, a full or partial waiver fully documenting subcontracting unavailability despite the contractor's good faith efforts. Good faith efforts must be exhibited and documented with a waiver form submitted at the time of bid response. If a contractor's waiver is denied, the contractor's bid will be deemed non-responsive.
- f. A contractor may request, for good cause, an Exception to the application of the SBEDA Program and the subcontracting goal by completing and submitting an Exception form at the time of bid response. If a contractor's Exception request is denied, the contractor's bid will be deemed non-responsive.
- g. Certified SBE firms must be headquartered or demonstrate significant business presence within the San Antonio Metropolitan Statistical Area (SAMSA) - Atascosa, Bandera, Bexar, Comal, Guadalupe, Kendall, Medina and Wilson - in order to count toward the SBE subcontracting goal.

3. Labor Compliance

- a. Pay rates must comply with Heavy Highway guidelines based on the Davis-Bacon Wage Determination (new wage decision recently approved)
- b. CPR may be submitted by sub or prime contractor
- c. Overtime Rates apply for this contract (anything in excess of 40 hours)
- d. Holiday rates apply
 - i. Employee must get holiday off or must be paid time and a half for every holiday hour worked
- e. \$60/day penalty to prime contractor for any employee not getting paid based on heavy highway rates (per occurrence)
- f. \$10/day penalty to prime contractor for any employee not receiving time and a half or day off for holidays (per occurrence)
- g. Wage and labor laws must be posted on job site (English and Spanish) and can be found on the City website

4. Submittal documents

- a. Forms: 010, 020, 025, 030, Bid Bond or Cashier's Check, Subcontractor/Supplier Utilization Plan, Addenda and Addenda Acknowledgement form

5. Contractor Questions

- a. Contractor questions must be directed to Vilma Sessoms only
 - i. Questions accepted up to 1:00 PM on November 30, 2011.
- b. What type of curb inlets are to be bid under items 403.10A-403.10E?
 - i. Inlets should be Type I inlets for items 403.10A-403.10E
- c. Will there be time for suppliers to put material orders together?
 - i. Contractors will be given approximately 30 day lead time for projects to allow for sufficient time for materials to be fabricated and delivered to project sites.

6. Replace the following forms with the attached forms

- a. Invitation for Bid form (IFB)
- b. Wage Decision for Heavy Highway Projects (dated 11/18/2011)
- c. 060 Supplemental Conditions

End of Addendum

****NOTE ADDENDUM ACKNOWLEDGEMENT FORM IS REQUIRED TO BE RETURNED WITH THE BID PACKAGE****

CITY OF SAN ANTONIO
DEPARTMENT OF CAPITAL IMPROVEMENTS MANAGEMENT SERVICES
CONTRACT SERVICES DIVISION

RECEIPT OF ADDENDUM NUMBER(S) 1 IS HEREBY ACKNOWLEDGED FOR PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF FY 2012 & 2014 Task Order Contract for Storm Water Revenue Bond Projects –Package C

FOR WHICH BIDS WILL BE OPENED ON December 6, 2011

THIS ACKNOWLEDGEMENT MUST BE SIGNED AND RETURNED WITH THE BID PACKAGE.

Company Name: _____

Address: _____

City/State/Zip Code: _____

Date: _____

Signature

Print Name/Title

CITY OF SAN ANTONIO

Issued By: Public Works Department
ID NO.: 23-01086-03-08-05-02

Date Issued: Sunday, November 13, 2011
Page 1 of 2

FORMAL INVITATION FOR BIDS (IFB) and CONTRACT 2012-2014 Task Order Contract for Public Works Maintenance and Construction Package C (Prj. No. 23-01086-03-08-05-02)

Sealed bids, subject to the Terms and Conditions of this Invitation for Bids and other contract provisions, will be received at the Office of the City Clerk, City Hall, 100 Military Plaza, 2nd floor San Antonio, Tx 78205 until **2:00 p.m. CST on Tuesday, December 6, 2011** and publicly read aloud at **114 W. Commerce, Municipal Plaza Building "B" Room**. This is the *solicitation deadline*. Bids must be submitted in a sealed envelope and clearly marked with the due date of bid, bidder name, Project Name and ID NO. The City is not responsible for submissions not clearly and appropriately marked. Late submissions will be rejected and returned to bidder. A Non-Mandatory Pre-submittal conference will be held at **114 W. Commerce, Municipal Plaza Building, 9th Floor Conference Room on Tuesday, November 29, 2011 at 8:30 a.m.**

TABLE A - This invitation includes the following Contract Documents:

010 Invitation for Bids and Contract 2012-2014 Task Order Contract for Public Works Maintenance and Construction Package C (Prj. No. 23-01086-03-08-05-02)	Subcontractor/Supplier Utilization Plan
020 Bid Form	060 Supplement Conditions
025 Unit Pricing Form	Performance Bond
040 Standard Instructions to Respondent	Payment Bond
050.01 Respondents must demonstrate commitment to satisfy a ten percent (10%) subcontracting goal. In the absence of a waiver granted by the Small Business Office, failure of a Respondent to commit to satisfying the SBE subcontracting goal shall render its response NON-RESPONSIVE.	085 General Conditions for Heavy/Hwy Construction Contracts City of San Antonio, Specifications, Special Conditions & Plans "2012-2014 Task Order Contract for Public Works Maintenance and Construction Pkg. C" prepared by Lockwood, Andrews, & Newnam, Inc. Wage Decision for Heavy Highway Projects

Plans, Specifications and Special Conditions may be purchased at a cost of **\$50.00** per set (tax included) from the office of **Lockwood, Andrews, & Newnam, Inc.**, 10101 Reunion Place, Suite 200, San Antonio, TX 78216 Phone- (210) 499-5082. No refund will be made for plan sets that are returned. Addenda will be posted on the web at <http://epay.sanantonio.gov/rfp listings/> along with this solicitation. Changes to Plans, Specifications and Special Conditions will be included in an addendum and may be obtained from the office of **Lockwood, Andrews, & Newnam, Inc.** Bidder understands and agrees that bidder is responsible for obtaining addenda and adhering to all requirements in addenda. City is not responsible for incorrect information obtained through other sources.

The following documents (fully completed and with original signatures) constitute the required information to be submitted as a part of the bid proposal clearly marked on the outside of the sealed envelope with the due date of bid, bidder name, Project Name and ID NO as follows:

- | | |
|---|---|
| 1) 010 Invitation for Bids and Contract Signature Page for 2012-2014 Task Order Contract for Public Works Maintenance and Construction Pkg. C (Prj. No. 23-01086-03-08-05-02) | 4) Bid bond or cashiers check |
| 2) 020 Bid Form | 5) Subcontractor/Supplier Utilization Plan |
| 3) 025 Unit Pricing Form | 6) Signed Addenda Acknowledgement Forms (if applicable) |

It is understood and agreed that the work is to be completed in full on or before **730** calendar days. This project does not include hazardous environmental work. This project requires **0** project sign(s).

This is a Public Works Contract and chapter 2258 of the Texas Government Code requires that not less than the prevailing wage rate for work of a similar character in this locality shall be paid all laborers, workmen, and mechanics employed in the construction thereof. The Wage Decision Number **TX100017 11/18/2011 TX17** shall be used on this contract, which is available on the web at <http://www.wdol.gov/dba.aspx#0>.

FORMAL INVITATION FOR BIDS (IFB) and CONTRACT
2012-2014 Task Order Contract for Public Works Maintenance and Construction Package C
(Prj. No. 23-01086-03-08-05-02)

The undersigned acknowledges that this is a unit price contract; that unit prices established will remain in effect and valid throughout the duration of the contract; the quantities shown are estimated quantities for budgetary purposes only; the award of this contract does not guarantee contractor the entire work shown in this FORMAL INVITATION FOR BID (IFB); the City may order all, some, or none of the work shown in this IFB; and projects will be assigned as they become available.

The undersigned, by his/her signature, represents that he/she is authorized to bind the bidder to fully comply with Contract Documents for the amount(s) shown on the accompanying bid sheet(s). The work proposed to be done shall be accepted when fully completed and finished to the entire satisfaction of the City. The undersigned certifies all prices contained in this bid have been carefully checked and are submitted as correct and final. The Bidder by submitting this bid and signing below, acknowledges that he/she has received & read the entire Bid and Contract document and agrees to be bound by the terms therein, has received all Addenda, and agrees to the terms, conditions, and requirements of the bidder's bid proposal and all documents listed in TABLE A above and the enabling Ordinance and associated documentation that form the entire Contract upon approval by the City Council.

Official Name of Company (legal): _____

_____/_____, Signer's Name: _____
 Original Signature of Person Authorized to Sign Bid/Contract Date (Please Print or Type)

SUPPLEMENTAL CONDITIONS

1. **When submitting a bid in person, visitors to City Hall must allow time for security measures.** Visitors to City Hall will be required to enter through the east side of the building. The public will pass through a metal detector and x-ray machine located in the lobby. All packages, purses and carried items will be scanned during regular business hours of 7 a.m. to 7 p.m. After the public proceeds through the metal detector, they will sign in and receive a visitor's badge. For those that might require the use of a ramp, entry is available on the south side of the building (Dolorosa side). Security will meet the visitor in the basement with a hand scanner.

2. **Scope of the Work** - The Contractor shall furnish all the materials and perform all the Work called for in the Contract Documents and more specifically described in the Plans and Specification for the Project entitled.

3. The Contractor shall begin Work at the job site within seven (7) calendar days after the date of the Owner's written Authorization to Proceed issued by the Owner's Representative.

4. For each Calendar Day that any Work is not completed after the expiration of Calendar Days stated in the Invitation for Bids or Invitation for Competitive Sealed Proposals, plus any Extended Calendar Days granted by Owner in accordance with the Contract Documents, the sum as shown in the table below will be deducted from the money due or to become due the Contractor, not as a penalty, but as mutually agreed to liquidated damages and added expense for Owner Contract administration, not otherwise susceptible to exact determination by Owner and Contractor prior to the execution of this Agreement.

<u>Amount of Contract</u>			<u>Liquidated Damages per Day</u>
\$	1,000,001	or Over	\$ 700.00
\$	750,001	to \$1,000,000	\$ 600.00
\$	500,001	to \$ 750,000	\$ 500.00
\$	250,001	to \$ 500,000	\$ 400.00
\$	100,001	to \$ 250,000	\$ 300.00
\$	50,001	to \$ 100,000	\$ 200.00
\$	1	to \$ 50,000	\$ 100.00

5. **The Contract Sum** - The Owner shall pay the Contractor for the proper performance of the Contract, subject to additions and deduction provided therein, the Contract sum is listed in the Purchase Order.

6. **Partial Payment** - Each month, the Owner shall make a progress payment as approved by the Owner's Representative in accordance with the General Conditions.

7. **Acceptance and Final Payment** - Final Payment shall be due on final Owner acceptance of the Project Work, provided the Contract has been completed by Contractor as provided in the General Conditions.

Before issuance of the final payment, the Contractor shall submit an affidavit and reasonable additional supporting evidence if required, as satisfactory to the Director of Finance, City of San Antonio, that all labor payrolls, construction materials and supply bills, subcontractors, and other indebtedness connected with the Work have been paid in full, or that an outstanding debt is being disputed and that the corporate surety or its agent is processing the outstanding claim and is willing to defend and/or indemnify the City should the City make final Contract payment.

8. Contractor shall comply with Standard Specification 1000 in its invoicing.

9. **Cost for Mobilization, Insurance and Bond, Preparing Right-of-Way, Barricades, Signs and Traffic Handling, Temporary Erosion and SWPPP** will not be paid for per lump sum, but instead will be considered as a no separate pay item. The cost should be included in other applicable bid items.

10. The sites shall be assigned by the City Engineer or Program Manager and shall be located throughout the City. Each project site will be issued a separate Task Order and quantities will be provided to the Contractor. It is anticipated that some project sites may require working time restrictions. No additional cost will be paid to the contractor for reduced working times.

11. Quantities included in this contract, as well as the entire bid amount, are not guaranteed.

General Decision Number: TX100017 11/18/2011 TX17

State: Texas

Construction Types: Heavy and Highway

Counties: Atascosa, Bandera, Bastrop, Bell, Bexar, Brazos, Burleson, Caldwell, Comal, Coryell, Guadalupe, Hays, Kendall, Lampasas, McLennan, Medina, Robertson, Travis, Williamson and Wilson Counties in Texas.

HEAVY (excluding tunnels and dams, not to be used for work on Sewage or Water Treatment Plants or Lift / Pump Stations in Bell, Coryell, McClellon and Williamson Counties) and HIGHWAY Construction Projects

Modification Number	Publication Date
0	09/16/2011
1	11/18/2011

* SUTX2011-006 08/03/2011

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER (Paving and Structures).....	\$ 12.56	
ELECTRICIAN.....	\$ 26.35	
FORM BUILDER/FORM SETTER Paving & Curb.....	\$ 12.94	
Structures.....	\$ 12.87	
LABORER Asphalt Raker.....	\$ 12.12	
Flagger.....	\$ 9.45	
Laborer, Common.....	\$ 10.50	
Laborer, Utility.....	\$ 12.27	
Pipelayer.....	\$ 12.79	
Work Zone Barricade Servicer.....	\$ 11.85	
PAINTER (Structures).....	\$ 18.34	
POWER EQUIPMENT OPERATOR: Agricultural Tractor.....	\$ 12.69	
Asphalt Distributor.....	\$ 15.55	
Asphalt Paving Machine.....	\$ 14.36	
Boom Truck.....	\$ 18.36	
Broom or Sweeper.....	\$ 11.04	
Concrete Pavement Finishing Machine.....	\$ 15.48	
Crane, Hydraulic 80 tons or less.....	\$ 18.36	
Crane, Lattice Boom 80 tons or less.....	\$ 15.87	
Crane, Lattice Boom over 80 tons.....	\$ 19.38	
Crawler Tractor.....	\$ 15.67	
Directional Drilling Locator.....	\$ 11.67	
Directional Drilling Operator.....	\$ 17.24	
Excavator 50,000 lbs or Less.....	\$ 12.88	
Excavator over 50,000 lbs....	\$ 17.71	
Foundation Drill, Truck Mounted.....	\$ 16.93	
Front End Loader, 3 CY or Less.....	\$ 13.04	
Front End Loader, Over 3 CY..	\$ 13.21	
Loader/Backhoe.....	\$ 14.12	
Mechanic.....	\$ 17.10	
Milling Machine.....	\$ 14.18	

Motor Grader, Fine Grade.....	\$ 18.51
Motor Grader, Rough.....	\$ 14.63
Pavement Marking Machine.....	\$ 19.17
Reclaimer/Pulverizer.....	\$ 12.88
Roller, Asphalt.....	\$ 12.78
Roller, Other.....	\$ 10.50
Scraper.....	\$ 12.27
Spreader Box.....	\$ 14.04
Trenching Machine, Heavy.....	\$ 18.48
Servicer.....\$ 14.51	
Steel Worker	
Reinforcing.....	\$ 14.00
Structural.....	\$ 19.29
TRAFFIC SIGNAL INSTALLER	
Traffic Signal/Light Pole	
Worker.....	\$ 16.00
TRUCK DRIVER	
Lowboy-Float.....	\$ 15.66
Off Road Hauler.....	\$ 11.88
Single Axle.....	\$ 11.79
Single or Tandem Axle Dump	
Truck.....	\$ 11.68
Tandem Axle Tractor w/Semi	
Trailer.....	\$ 12.81
WELDER.....	\$ 15.97

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(ii)).

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In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

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WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7).
Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers

relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION